

# MEMORANDUM

United States District Court  
Eastern District of New York

To: Judge Weinstein  
United States District Judge

From: Mary Ann McGee  
Appals Clerk

Date: 6/28/05

Case Number: CV-01-8584  
Negron v. USA

Attached please find Motion/Request for:

\_\_\_\_\_ Leave to appeal in forma pauperis

X Certificate of Appealability

\_\_\_\_\_ Notice of Appeal. There is no request for, or ruling on,  
Certificate of Appealability.

\_\_\_\_\_ Extension of Time to File Notice of Appeal

\_\_\_\_\_ Assignment of Counsel.

\_\_\_\_\_ Reconsideration

Granted

Denied

Granted

Denied

Granted

Denied

Granted

Denied

Granted

Denied

Granted

Denied

SO ORDERED

United States District Judge

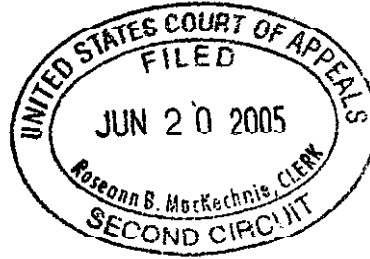
Dated:

→ Jcy let me see  
file &  
Docket sheet.  
Issue order:  
Set for hearing set  
set for August 19  
2005 at 10:15 AM  
to decide if a  
certificate of  
appealability  
should be issued  
and on what  
grounds. Defendant  
shall be present by  
telephone. S  
Ad. - gd  
6/29/05

MANDATE

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT  
THURGOOD MARSHALL U.S. COURT HOUSE  
40 FOLEY SQUARE  
NEW YORK 10007

Roseann B. MacKechnie  
CLERK



Date: 6/20/05  
Docket Number: 05-2983-pr  
Short Title: Negron v. USA  
DC Docket Number: 01-cv-8584  
DC: EDNY (BROOKLYN)  
DC Judge: Honorable Jack Weinstein

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, Foley Square, in the City of New York, on the 20th day of June, two thousand and five.

Jose Negron,

Petitioner-Appellant,

v.

USA,

Respondent-Appellee.

FILED  
IN CLERK'S OFFICE  
U.S. DIST. CT. EDNY.

★ JUN 24 2005 ★

JUN 24 2005

BROOKLYN OFFICE

A notice of appeal having been filed from an order denying relief in a application brought under the provisions of 28 U.S.C. Section 2255, and it appearing that the file of the proceedings does not contain either a certificate of appealability or a denial thereof, it is **ORDERED** that said appeal be, and it hereby is **DISMISSED** without prejudice to the appeal being reinstated upon notice to the Clerk within 30 days from the entry of an order by the district judge granted or denying a certificate of appealability. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

In accordance with Rule 22(b) of the Federal Rules of Appellate Procedure, and Second Circuit Rule 22a, you are hereby directed to promptly move for a certificate of appealability in the district court.

A TRUE COPY  
ROSEANN B. MacKECHNIE, CLERK  
*Connie Mazariego*

For the Court,  
Roseann B. MacKechnie, Clerk

*Connie Mazariego*  
By: Connie Mazariego  
Deputy Clerk

Certified:

JUN 20 2005

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